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REVISED

November 8, 2013

VIA ELECTRONIC AND U.S. MAIL

Ms. Caroline Kwan
Remedial Project Manager
Special Projects Branch
Emergency and Remedial Response Division
U.S. Environmental Protection Agency, Region 2
290 Broadway, 20th Floor
New York, New York 10007-1866

Re: Progress Report No. 28 – October 2013
Newtown Creek Remedial Investigation/Feasibility Study

Dear Ms. Kwan:

Anchor QEA is submitting this monthly progress report for the Newtown Creek Remedial Investigation/Feasibility Study (RI/FS) on behalf of the Respondents to the Administrative Settlement Agreement and Order on Consent (Settlement Agreement or AOC). As set forth in Section 42 of said Settlement Agreement, this progress report is divided into the following areas:

1. Actions taken to comply with the Settlement Agreement during the previous month
2. Results of sampling and tests and all other data received by Respondents to the Settlement Agreement during the previous month
3. Problems encountered and anticipated problems, actual or anticipated delays, and solutions developed and implemented to address actual or anticipated problems or delays
4. Work planned for the next 2 months with schedules relating to the overall project schedule for RI/FS completion

1. Actions Taken to Comply with Settlement Agreement during Previous Month

- Point sources sampling field reconnaissance visits at the Morgan Oil Terminal, Brooklyn, and Empire Transit Mix, Inc., sites were conducted on October 2 and October 7, respectively.
- The draft *Baseline Ecological Risk Assessment Problem Formulation* (BERA PF) document was submitted to USEPA on October 4.
- Approval of the responses to comments on the *Phase 1 Remedial Investigation Field Program Data Summary Report – Submittal No. 3* was provided by USEPA on October 17.
- Comments on the draft *Sources Sampling Approach Memorandum* (SSAM) were provided by USEPA on October 17.
- Critical path comments on the draft BERA PF were provided by USEPA on October 22. Remaining comments on the draft BERA PF are due from USEPA on November 20.
- A teleconference between the Newtown Creek Group (NCG), the City of New York, and USEPA to discuss select comments on the *Groundwater Sources Sampling Approach Evaluation Memorandum* and the *Point Sources Sampling Approach Evaluation Memorandum* was held on October 22.
- Meeting materials for the November 14 *Modeling Workshop No. 3* were submitted to USEPA on October 25.
- A request for an extension to the submittal date for the draft *Sources Sampling Approach Memorandum Addendum* (SSAM Addendum) from October 25 to November 1 was made to and approved by USEPA on October 18. This submittal date was discussed further during a teleconference with USEPA on November 1. During this call, USEPA was advised that the document is still being prepared and will be submitted as soon as the draft is complete.
- Responses to the September 21 information request for information needed from the City of New York in order to complete the draft *Phase 2 Remedial Investigation Work Plan* (Phase 2 RI Work Plan) were provided by the City of New York on September 30. Responses to the City of New York responses were submitted to USEPA on October 15. A teleconference between the NCG, the City of New York, and USEPA to discuss these responses was held on October 22.
- The following activities continued in October:
 - Hydrodynamic and sediment transport model development
 - Groundwater and point source evaluations

- Draft SSAM Addendum development
- Draft BERA PF response to comments
- Draft Phase 2 RI Work Plan development

2. Results of Sampling and Tests and Other Data Received by Respondents during Previous Month

- None

3. Encountered and Anticipated Problems and/or Delays and Solutions Developed and Implemented to Address Them

- None

4. Work Planned for the Next 2 Months with Schedules Relating to the Overall Project Schedule for RI/FS Completion

- The draft SSAM Addendum will be submitted.
- Project update meetings with USEPA are scheduled for November 14 and December 12. *Modeling Workshop No. 3* is also scheduled for November 14.
- Critical path comments on the draft BERA PF were provided by USEPA. Remaining comments on the draft BERA PF will be provided by USEPA.
- The draft Phase 2 RI Work Plan is planned for submission to USEPA.
- The revised draft BERA PF is planned for submission to USEPA.

If you have any questions regarding this progress report, please do not hesitate to contact me at (201) 571-0912 (e-mail: jquadrini@anchorqea.com).

Sincerely,



Jim Quadrini, P.E., BCEE
Anchor QEA, LLC

cc: Michael Mintzer, USEPA Region 2 Assistant Regional Counsel
Ian Beilby, NYSDEC, Division of Environmental Remediation
W. David Bridgers, Common Counsel for Newtown Creek Group Respondents
Edward Leonard, CDM Smith

bcc: Tom Schadt, Anchor QEA, LLC
Karen Yanasak, Anchor QEA, LLC